

VOLUME 1: GOVERNANCE AND ADMINISTRATION	Effective Date: 12/2003
CHAPTER 16	Revision Date: 10/2016
1.16.1 PRISON RAPE ELIMINATION ACT POLICY	Attachments: Yes \(\subseteq No \(\subseteq \)

I. POLICY

The California Correctional Health Care Services shall provide medically necessary emergency and follow-up treatment; follow-up plans; and necessary referrals including testing for pregnancy, any sexually transmitted infections/disease, and Human Immunodeficiency Virus, to patients who are alleged victims or suspects of sexual violence, staff sexual misconduct, and sexual harassment in compliance with its duties under the California Department of Corrections and Rehabilitation's (CDCR) Prison Rape Elimination Act policy, CDCR Department Operations Manual. All health care staff shall be required to:

- Report allegations of sexual violence, staff sexual misconduct, and sexual harassment.
- Inform patients of health care staff's duty to report and the limitations of confidentiality at the initiation of services.

II. PURPOSE

To ensure that medically necessary emergency and follow-up treatment is provided to patients who are alleged victims or suspects of sexual violence, staff sexual misconduct, and sexual harassment.

III.RESPONSIBILITY

The Chief Executive Officer, or designee, and the Warden, or designee, of each institution are responsible for the implementation, monitoring, and evaluation of this policy.

IV. REFERENCES

- Code of Federal Regulations, Title 28, Judicial Administration, Part 115, Prison Rape Elimination Act National Standards to Prevent, Detect, and Respond to Prison Rape, Final Rule, 115.83, Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers a, b, and c.
- Prison Rape Elimination Act of 2003, Public Law 108-79
- California Department of Corrections and Rehabilitation, Department Operations Manual, Chapter 5, Article 44, Section 54040.1-54040.22, Prison Rape Elimination Policy
- California Department of Corrections and Rehabilitation, Mental Health Services Delivery System Program Guide, 2009